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<b>TRANSMITTAL FORM</b> JUN 16 2006 (to be used for all correspondence after initial filing) PATENT & TRADEMARK OFFICE	Application Number	10/056,441
	Filing Date	January 24, 2002
	First Named Inventor	Nicholas F. D'Antonio
	Art Unit	3732
	Examiner Name	Ralph A. Lewis
	Attorney Docket Number	DA9397US.CIP2RE (#90036)
Total Number of Pages in This Submission		

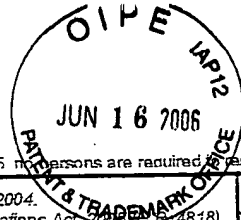
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached (Credit card form)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return post card
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<b>Remarks</b> Please charge any additional fees or credit any overpayment to Deposit Account No. 08-2441.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	D. Peter Hochberg Co., L.P.A.		
Signature			
Printed name	D. Peter Hochberg		
Date	June 14, 2006	Reg. No.	24,603

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Christine Kotran	Date	June 14, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (P.L. 109-171, 4818).

**FEE TRANSMITTAL**  
For FY 2005☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 50.00---

## Complete if Known

Application Number	10/056,441
Filing Date	January 24, 2002
First Named Inventor	Nicholas F. D'Antonio
Examiner Name	Ralph A. Lewis
Art Unit	3732
Attorney Docket No.	DA9397US.CIP2RE (#90036)

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 08-2441 Deposit Account Name: D. Peter Hochberg Co., PA

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

## 2. EXCESS CLAIM FEES

## Fee Description

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims: 22 - 20 or HP = 2 x 25.00 = 50.00

HP = highest number of total claims paid for, if greater than 20

Indep. Claims: 2 - 3 or HP = --- x --- = ---

HP = highest number of independent claims paid for, if greater than 3

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: \_\_\_\_\_

## SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	24,603	Telephone	216-771-3800
Name (Print/Type)	D. Peter Hochberg	Date	6/14/2006		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Nicholas F. D'Antonio et al.  
Serial No.: 10/056,441  
Filed: January 24, 2002 / Conf. No. 2618  
Title: HYPODERMIC FLUID DISPENSER  
Examiner: Ralph A. Lewis  
Art Unit: 3732  
Attorney File: DA9397US.CIP2RE (#90036)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT – Introductory Comments**

Sir:

In response to the Office Action mailed on March 14, 2006, please amend the Reissue

Application Declaration and the claims of the application as follows:

06/19/2006 CNGUYEN 00000028 10056441

01 FC:2202

50.00 OP

Applicant/Serial No.: Nicholas F. D'Antonio et al. / 10/056,441  
Filed/Conf. No. January 24, 2002 / Conf. No. 2618  
Examiner/Group: Ralph A. Lewis / 3732  
Response to Office Action mailed: 03 / 14 / 2006  
Attorney File: DA9397US.CIP2RE (#90036)

**AMENDMENT TO REISSUE APPLICATION DECLARATION**

Applicants amend the "Reissue Application Declaration by the Inventor" regarding the description of the error to read as follows:

Patent Application Serial No. 08/738,303 from which U.S. Patent No. 6,056,716 issued was inadvertently filed as a continuation-in-part application and included a "Claim for Benefit of U.S./PCT Application(s) Under 35 U.S.C. 120." 35 U.S.C. 154(a)(2), of which neither the inventors nor their assignee was aware, may have made the term of the patent be measured from the filing date of the earliest filed priority application, which was U.S. Patent Application Serial No. 07/059,620 which was filed on June 8, 1987. Since none of the earlier-filed patent applications to which Serial No. 08/738,303 is related contained a disclosure or any reference to the depth of entry into a body by the perforator to prevent the perforator from perforating the muscular region as disclosed in U.S. Patent No. 6,056,716 or as recited both in the claims prosecuted in Serial No. 08/738,303 and in the claims of Patent No. 6,056,716 issued therefrom, there was no need for the '716 patent to be a continuation-in-part.

If required by the Examiner, a fresh Reissue Application Declaration executed by all inventors will be provided.